

### **C. REMARKS**

Applicants respectfully request reconsideration of the outstanding rejections and reexamination of the present application in light of the following amendments and remarks.

#### ***Status of the Claims***

Claims 1, 3, 4, and 10 are currently pending. Claims 2, 5-9, and 11-41 are canceled. Claims 1 and 10 are amended.

#### ***Alleged Rejections under 35 USC 112***

Claims 1, 3, 4, and 10 are rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. [Office Action, p. 2] In particular, the Office Action states that claim 1 is indefinite "because the limitation "claim 37, 0054, 0060, 0111" lines 6 in pages 3, the limitation "dependent claim 5, 0054, 0060, 0062, 0085, 0111" lines 16-17 in pages 3, the limitation "dep claim 6, 0062, 0111" lines 20 in pages 3, the limitation "dep claim 6, 0060, 0111" lines 23 in pages 3, the limitation "and claim 38, 0055, 0056, 0057, 0058, 0061, 0062, 0104, 0111" lines 13-14 in pages 4, and the limitation "claim 37, 0063" lines 17 are not clear what is claimed." [Office Action, p. 2] In addition, the Office Action states that related to claim 1, "the limitation "an electronic work" lines 3 in pages 3 should be changed to "said electronic work", the limitation "an electronic work" lines 7 in pages 3 should be changed to "said electronic work", the limitation "at at least one" lines 8 in pages 3 should be changed to "at least one", and the limitation "each time stamp" lines 10 in pages 4 should be changed to "each time stamp". There is insufficient antecedent basis for this limitation in the claim." [Office Action, p. 2]

Applicants have amended claim 1 as requested by the Examiner to remove the paragraph numbering which Applicants previously, inadvertently, left in the listing of the claim to remove any indefiniteness and to provide proper antecedent basis for the

limitations in the claim. In view of the amendments to claim 1 to remove indefinite limitations and to provide proper antecedent basis for the limitations in the claim, Applicants respectfully request withdrawal of the rejection of claim 1 under 35 USC 112. In addition, in view of the amendments to claim 1 to provide proper antecedent basis, Applicants respectfully request withdrawal of the rejection of dependent claims 3, 4, and 10.

***Additional Information which may be Material to Patentability***

Applicants respectfully direct the Examiner's attention to several matters regarding information which may be material to patentability in the present application.

Applicants note that the present application cites two applications which are co-pending with the present application, which are incorporated by reference into the present application. As noted in the amendments to the specification, Applicants clarify that these applications to which the present application is cross-referenced, include US Patent Application Serial No. 10/728,163 and 10/728,164. In these related applications that are co-pending with the present application, Applicants fulfill the duty of candor and good faith in dealing with the Office to disclose information with Applicants' knowledge as to other co-pending application, including material rejections in co-pending applications, as described in 37 CFR 1.56 and recently clarified in *McKesson Information Solutions, Inc. v. Bridge Medical, Inc.*, 487 F.3d 897, 82 USPQ2d 1865 (May 18, 2007). In particular, Applicants note the Office Action from the same Examiner as assigned to the present application, John J Lee, received in 10/728,163 dated 11/02/2007, and Applicants response to this Office Action dated 02/04/08. In addition, Applicants note the Office Action from the same Examiner as assigned to the present application, John J Lee, received in 10/728,164, to which Applicants will respond. Applicants have noted the references cited in the Office Action in the IDS filed herewith.

### ***Conclusion***

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

No extension of time is believed to be necessary. If, however, an extension of time is required, the undersigned hereby authorizes the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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